

Message

From: Gary R. Bergstrom [gbergstrom@lincoln.ne.gov]
Sent: 3/12/2013 1:56:08 PM
To: Scott, Patricia A. [Scott.PatriciaA@epa.gov]
CC: Knodel, Jon [Knodel.Jon@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
Subject: RE: Construction Permit Question
Attachments: image001.jpg; Gary R Bergstrom Jr 2.vcf; Kawasaki Permitting History.doc

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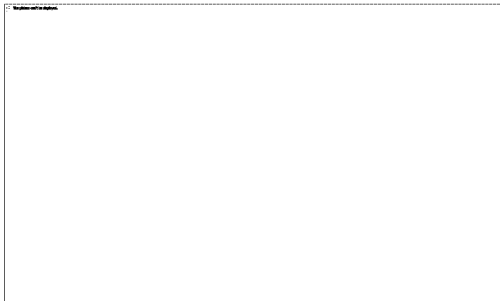
I talked to Gary Walsh, who was the individual at our Department who wrote the permits that initially contained the plant-wide emission limits previously discussed. He indicated that the intent was not to avoid PSD, as the limits that were established were already above the PSD major source thresholds. He also said that, at the time they were established, there was no regulatory basis for the limits. They were simply meant as a cap to limit VOC emissions in the area.

I've attached a 'timeline' that examines the series of construction permits that have been issued to this source over the years, in which the changes to each permit are discussed.

The only limits in these permits that were PSD-avoidance limits are those that are specific to the equipment covered by each respective construction permit...but the current intent is to leave those limits in place.

I will say that, from a personal standpoint, I don't understand why there is a sudden urge from the source to remove the plant-wide cap. They've been operating quite comfortably under the cap for years now, and the trend does not appear to indicate a problem in the foreseeable future. In the past, the source representative that we worked with through pretty much every permit agreed to these limits...but I think this is coming more from their newly-hired environmental consultant than it is from the source representative.

Let me know if you have any other questions or need any more information.



From: Scott.PatriciaA@epamail.epa.gov [mailto:Scott.PatriciaA@epamail.epa.gov]
Sent: Tuesday, January 15, 2013 11:05 AM
To: Gary R. Bergstrom
Cc: Knodel.Jon@epamail.epa.gov; Werner.Leslye@epamail.epa.gov
Subject: Re: Construction Permit Question

Gary,

We need more information on why the plant-wide caps were set in the first place. If, as you indicate, the limits were some kind of a mistake or misunderstanding, then it might be appropriate to evaluate whether removing them has PSD consequences or not. It would be helpful if you have a detailed timeline of permitting actions at Kawasaki, complete with dates, emissions changes, the nature of the permit, etc...

If you find the plant-wide limits were put in the permit to avoid PSD review, then for whatever reason, Kawasaki must go through PSD review to remove the limits. To remove the limits without PSD review would be a relaxation of 52.21(r). Also, if you find that they are PSD avoidance limits, and because Kawasaki is not currently having problems meeting the emission limits, and the actual emissions are steady or trending downward, Kawasaki may want to leave the limits as they are instead of going through PSD review.

Please let me know if you have additional questions or comments.

Thanks,

Pat

▼ "Gary R. Bergstrom" ---01/15/2013 09:29:40 AM---Leslye and Pat, I'm working through a Title V operating permit renewal for Kawasaki here in Lincoln.

From: "Gary R. Bergstrom" <gbergstrom@lincoln.ne.gov>
To: PatriciaA Scott/R7/USEPA/US@EPA, Leslye Werner/R7/USEPA/US@EPA
Date: 01/15/2013 09:29 AM
Subject: Construction Permit Question

Leslye and Pat,

I'm working through a Title V operating permit renewal for Kawasaki here in Lincoln. Years ago, they were issued construction permits that were basically PSD avoidance permits. The permits would set a limit on VOC emissions of 39 tons for the equipment being constructed/modified, but in addition (and for reasons that escape me) facility-wide VOC and HAP limits were included as well. These limits do not keep Kawasaki from being a major source of HAP, and do not keep Kawasaki out of PSD...so in truth, I have no idea what purpose these limits serve. I can't find much rationale, let alone legal basis, for establishing these limits in the statements of basis for the various permits.

Kawasaki is proposing that the facility-wide VOC and HAP limits be removed from the construction permits. The equipment-specific emission limits would be left in place.

Currently, the construction permits establish a limit of 425.5 tons of VOC per year, and 246 tons of total HAP per year. Their most recent Title V renewal application indicates that the maximum potential to emit VOC is 1,268.2 tons/year, and the maximum potential to emit total HAPs is 279.7 tons/year.

Removing the facility-wide limits would increase the potential to emit VOCs by 843.7 tons, and would increase the potential to emit total HAPs by 33.7 tons.

I would like to note that, while Kawasaki's proposing to remove these limits, their actual emissions of VOC and total HAP last year were 142 tons and 15.5 tons, respectively. The emission totals for the past several years indicate a steady-to-downward trend in actual emissions.

My question really boils down to this...because this is a major source of HAPs and a PSD-major source of VOC, would removing the facility-wide limits require PSD review? There is no construction/modification to the source involved with the proposed changes, but the fact that the potentials to emit are increasing by more than PSD thresholds made me wonder what might be required to perform these changes.

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